

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

AMIL BERTOCKI,

:

3:10CV2310

:

:

(Judge Munley)

:

Plaintiff

:

v.

:

ARS NATIONAL SERVICES, INC.,

:

Defendant

.....

STANDING ORDER #1

The referenced civil matter has been assigned to Judge James M. Munley. Responsive pleadings have been filed establishing a joinder of issues which allow for the identification of counsel for the parties of record.

The object of this Standing Order is to allow counsel greater freedom in the preparation of their cases. At the same time control of the trial calendars will be vested in the court which has the responsibility for just disposition of litigation. This Order allows for both flexibility and certainty in the life of each case by establishing key events which commence after the issue is joined.

This is to advise you that all present parties to the litigation will be allowed the total time of one hundred twenty (120) days from the time of the filing of the answer in which to complete discovery. This period may be accelerated or extended, for sufficient cause shown, by motion or at the scheduling conference which shall be held within sixty (60) days following the filing of the answer. The discovery timetable has been selected as a mean time period in which to allow counsel complete freedom in trial preparation, subject to change only as indicated. Because this discovery item is deemed a reasonable period, any extensions will be sparingly

granted.

At the conclusion of the discovery period, there will be an additional period of twenty (20) days in which to file dispositive motions, if not filed earlier.

WE DIRECT COUNSEL TO COMPLY WITH THE VOLUNTARY ASPECTS OF FED.R. CIV.P.26.

Disputes naturally arise during discovery. In the spirit of the rules of civil procedure, we expect experienced and enlightened counsel to reach some amicable resolution of such disputes. If conflict still persists after such joint efforts, Judge Munley instructs counsel not to file formal discovery motions, but rather, counsel shall contact the Judge's Case Administrator, Sylvia Murphy, at telephone number (570) 207-5785, to arrange a telephonic conference with the court to resolve the issue. Such conferences are generally held within twenty-four (24) hours of notification by counsel.

If at any stage of the litigation counsel recognizes that the presence of the court will materially enhance settlement or otherwise accelerate any key event, an appropriate conference may be requested and scheduled.

When the discovery period in any given case has run, and there remain no outstanding motions, the court shall schedule a pretrial conference which shall be in compliance with local rule 16, which provides for a pretrial memorandum in the form contained in Appendix C to the rules. A more complete pretrial memorandum may be required in protracted or more complex litigation. Except for good cause, all in limine motions will be filed and briefed in time for consideration at the pretrial conference; counsel will receive a case management order setting forth the time requirements. The time requirements for all in limine motions are mandatory; no

motion will be considered which is not in conformity with the same.

At the conclusion of the pretrial conference an appropriate order may be entered reflecting the action taken and the case will be listed on the trial calendar. Applications for continuance of any trial shall be in writing with the joinder or stated concurrence or nonconcurrence of the opposing parties. All applications will be acted upon by the trial judge in writing.

All scheduling conferences and pretrial conferences will be scheduled at various times during regular business hours. However, conflicts may require such conferences to be scheduled between the hours of 8:30 a.m. and 9:00 a.m. and 1:00 p.m. and 1:30 p.m. The physical presence of trial counsel is required. Exceptions may be allowed in the case of scheduling conferences only.

Failure of trial counsel to appear at appointed times, or to otherwise fail in complying with the provisions of this standing order may result in dismissal, default or imposition of sanctions as may be appropriate.

s/James M. Munley
JUDGE JAMES M. MUNLEY
United States District Court

Dated: 1/18/11